

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER,

Plaintiff,

V.

SHARON KRAUSE and MICHEAL DAVIDSON,

## Defendants.

CASE NO. C11-5424 BHS

ORDER PERMITTING  
TESTIMONY OF ROBERT  
YOSEPH

This matter comes before the Court on Plaintiff Clyde Ray Spencer’s (“Spencer”) notice of supplemental disclosure of two witnesses (Dkt. 222) and Defendants’ objections thereto (Dkt. 227). The Court has considered the pleadings filed in support of and in opposition to the notice and the remainder of the file. For the reasons stated herein, the Court permits the testimony of Robert Yoseph (“Yoseph”) but declines to allow the testimony of Paul Henderson (“Henderson”).

Pursuant to the Court's order granting Spencer permission to select two out of nine belatedly disclosed witnesses to testify (Dkt. 127), Spencer disclosed Yoseph. Dkt. 228

1 at 1 and 4. Yoseph will be permitted to testify at trial to both subject areas identified by  
2 Spencer: his knowledge of Sharon Krause's investigative techniques as well as her  
3 reputation for honesty and integrity, as there is a sufficient nexus between those topics  
4 and, in any case, they could be subjects for proper rebuttal testimony.

5 In contrast, Spencer's disclosure of Henderson was not timely, and he will not be  
6 allowed to testify at trial.

7 Therefore, it is hereby **ORDERED** that Yoseph will be permitted to testify at trial  
8 but Henderson will not.

9 Dated this 30th day of December, 2013.

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BENJAMIN H. SETTLE  
13 United States District Judge  
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